

House Engrossed Senate Bill

FILED

KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 111

SENATE BILL 1020

AN ACT

AMENDING SECTION 41-608, ARIZONA REVISED STATUTES; AMENDING LAWS 2006,
CHAPTER 350, SECTION 5; RELATING TO MONUMENTS AND MEMORIALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-608, Arizona Revised Statutes, is amended to
3 read:

4 41-608. Veterans' donations fund

5 A. The veterans' donations fund is established consisting of monies,
6 gifts and contributions donated to the department and monies deposited
7 pursuant to sections 28-2414, 28-2428, 28-2431, 28-2453, 28-2454, 28-2455 and
8 43-620. The department shall administer the fund. Monies in the fund are
9 continuously appropriated. The monies in the fund are exempt from the
10 provisions of section 35-190 relating to lapsing of appropriations.

11 B. The director or the director's designee may solicit and receive
12 donations, including in-kind donations, from the public for veterans. The
13 director shall deposit, pursuant to sections 35-146 and 35-147, the monetary
14 donations in the veterans' donations fund. Monies in the fund are subject to
15 state auditing procedures. Except for monies deposited pursuant to section
16 28-2431, the donations may be used for the benefit of the veterans within ~~the~~
17 ~~THIS state of Arizona~~ at the discretion of the director. ~~THE DIRECTOR MAY~~
18 ~~DONATE MONIES FROM THE FUND TO ORGANIZATIONS SEEKING TO ESTABLISH A MONUMENT~~
19 ~~OR MEMORIAL ON PUBLIC PROPERTY THAT RECOGNIZES OR HONORS VETERANS OR~~
20 ~~RECOGNIZES EVENTS IN WHICH VETERANS WERE MAJOR PARTICIPANTS OR HAD A MAJOR~~
21 ~~INFLUENCE.~~

22 C. The director shall establish a separate subaccount in the veterans'
23 donations fund for the deposit of monies received pursuant to section
24 28-2431, subsection C. The monies in the subaccount shall be used at the
25 director's discretion for the benefit of any immediate family member of a
26 person who died while on active duty in the United States military.

27 D. The director shall inventory and account for the use of any
28 tangible personal property donated to the fund.

29 E. On notice from the director, the state treasurer shall invest and
30 divest monies in the fund as provided by section 35-313, and monies earned
31 from investment shall be credited to the fund.

32 Sec. 2. Laws 2006, chapter 350, section 5 is amended to read:

33 Sec. 5. Bill of Rights commemorative monument; procedures

34 A. Pursuant to section 41-1363, subsection A, Arizona Revised
35 Statutes, this section authorizes the department of administration to provide
36 for the placement of a monument dedicated to the commemoration of the federal
37 Bill of Rights in Wesley Bolin plaza.

38 B. The procedures prescribed in section 41-1363, subsection B, Arizona
39 Revised Statutes, apply to the establishment of the monument, EXCEPT THAT
40 NOTWITHSTANDING SECTION 41-1363, SUBSECTION B, PARAGRAPH 6, ARIZONA REVISED
41 STATUTES, THE BILL OF RIGHTS COMMEMORATIVE MONUMENT MUST BE COMPLETED AND
42 DEDICATED TO THIS STATE ON OR BEFORE DECEMBER 31, 2013.

43 C. No public monies are authorized for the costs of the monument. All
44 fund-raising and contracts for artistic design and construction of the
45 monument are the sole responsibility of the proponents. This state shall not

1 facilitate fund-raising or establish a state fund for the deposit of the
2 monies.

3 Sec. 3. Enduring freedom memorial; use of public monies for
4 design or construction

5 Notwithstanding section 41-1363, Arizona Revised Statutes, Laws 2004,
6 chapter 206, section 1, as amended by Laws 2006, chapter 31, section 1, and
7 Laws 2008, chapter 92, section 2, monies from a fund established by the
8 legislature of this state for the benefit of veterans may be used for the
9 design or construction of the enduring freedom memorial.

10 Sec. 4. Emergency

11 This act is an emergency measure that is necessary to preserve the
12 public peace, health or safety and is operative immediately as provided by
13 law.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.